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REPLY TO NEW JERSEY OFFICE

January 7, 2021

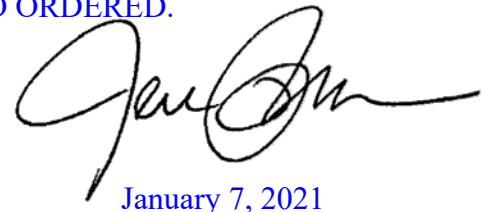
Via ECF

The Honorable Jesse M. Furman
United States District Judge
Southern District of New York
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, NY 10007

Re: United States v. Benjamin Figueroa
19 Cr. 445 (JMF)

Dear Judge Furman:

The Court apologizes, as it erroneously filed the Order at Doc. #64 requesting information with respect to the January 20, 2021 sentencing even though it had already been rescheduled for March 25, 2021. For now, the sentencing will remain scheduled for March 25, 2021; the Court will request an update by similar order closer to the scheduled date. The Clerk of Court is directed to terminate Doc. #65. SO ORDERED.



January 7, 2021

Pursuant to the Court's request, the parties have conferred regarding Benjamin Figueroa's sentencing date, which is currently scheduled for March 25, 2021.

The defense previously requested and received adjournments so that it could have Mr. Figueroa cognitively evaluated by a psychologist. It retained Jessica Pearson, Ph.D. She conducted an initial video examination with Mr. Figueroa in October, but requires an in-person examination as well. Unfortunately, it has taken far longer than anticipated to get Dr. Pearson, cleared to enter the MCC; she was ultimately cleared in late November but promptly informed me that, given the rise in COVID cases across the country and in New York, she understandably would not enter the MCC. Moreover, Mr. Figueroa would prefer to appear in person for sentencing once it is safe to do so rather than proceed by video.

Accordingly, the defense requests an adjournment until Dr. Pearson has an opportunity to examine Mr. Figueroa in person and to prepare a report. The Government, by Ryan B. Finkel, AUSA, consents to the adjournment.

Respectfully submitted,

/s/ Stephen Turano
Stephen Turano

cc: Ryan B. Finkel, AUSA